

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/555,011
Applicant : Nava ZISAPEL
Filed : October 31, 2005
TC/A.U. : 1617
Examiner : Jennifer M. Kim

Docket No. : 2007-122
Customer No. : 06449
Confirmation No. : 9212

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Response to Requirement for Election of Species

The claims of the above-referenced patent application are directed to pharmacologically active formulations, to methods of treatment and to kits. In an Office Action dated February 27, 2009, the examiner of the application advised that claims 27 and 32 of the application are directed to more than one species of a generic invention and that the species lack unity of invention because they are not so linked as to form a single generic inventive concept under PCT Rule 13.1. The species are:

- (a) the impairment of sleep and
- (b) the impairment of cognition or memory

Applicants are required to elect a single species of (a) and (b) to which the claims will be restricted if no generic claim is finally held to be allowable.

Applicants hereby elect species (b), impairment of cognition and memory. All of the pending claims read on this species.

Applicants submit that the pending claims are in condition for allowance.

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